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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,619	02/02/2001	Makoto Hara	2091-0232P	6945
2292	7590	11/01/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			SINGH, SATWANT K	
			ART UNIT	PAPER NUMBER
			2625	

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/773,619

Applicant(s)

HARA, MAKOTO

Examiner

Satwant K. Singh

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 5, 7, 12 and 14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5, 7, 12 and 14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This office action is in response to the amendment filed on 02 October 2006.
2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Response to Arguments***

3. Applicant's arguments, see amendment, filed 02 October 2006, with respect to claims 5, 7, 12, and 14 have been fully considered and are persuasive. The final rejection of claims 5, 7, 12, and 14 has been withdrawn.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 5, 7, 12, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Levine et al. (US 5, 974,234).
6. Regarding Claim 5, Levine et al disclose a printing system comprising: at least one customer service system for receiving via a network, order information representing the content of an order of a customer for a print (Fig. 5, routing interface 206 within proxy server 107A) (data acquisitions daemons (within routing interface 202) gather for

instance, device, job status, and site settable information from the communications interface 208 about each registered device and the daemons populate the database with such information) (col. 10, lines 45-67, col. 11, lines 1-5); a plurality of laboratory servers for outputting the print based on the order information transferred via the network from the customer service system that has received the order information (Fig. 5, document processing devices 200-1 to 200-N); and an order assigning system existing between the at-least-one customer service system and the laboratory servers, for receiving the order information from the customer service system, for selecting one of the laboratory servers to output the print based on predetermined information, and for transferring the order information to the selected laboratory server (Fig. 5, communications interface 208 within proxy server 107A) (communications interface acts as a liaison between the Data Acquisition Daemons and the supported devices on the customers network) (col. 11, lines 6-20); wherein the predetermined information is information specifying one of the laboratory servers described in the order information by the customer (user generates a job including a plurality of electronic pages and a set of processing instructions) (col. 7, lines 45-48).

7. Regarding Claim 7, Levine et al disclose a printing system comprising: at least one customer service system for receiving, via a network, order information representing the content of an order of a customer for a print (Fig. 5, routing interface 206 within proxy server 107A) (data acquisitions daemons (within routing interface 202) gather for instance, device, job status, and site settable information from the communications interface 208 about each registered device and the daemons populate

the database with such information) (col. 10, lines 45-67, col. 11, lines 1-5); a plurality of laboratory servers for outputting the print based on the order information transferred via the network from the customer service system that has received the order information (Fig. 5, document processing devices 200-1 to 200-N); and an order assigning system existing between the at-least-one customer service system and the laboratory servers for receiving the order information from the customer service system, for selecting one of the laboratory servers to output the print based on predetermined information, and for transferring the order information to the selected laboratory server (Fig. 5, communications interface 208 within proxy server 107A) (communications interface acts as a liaison between the Data Acquisition Daemons and the supported devices on the customers network) (col. 11, lines 6-20); the order assigning system transferring information related to the selected laboratory to the customer service system that received the order information, the customer service system generating selection information for determining a desired one of the laboratory servers based on the information and transferring the selection information to the order assigning system, and the order assigning system using the selection information as the predetermined information (a client user develops a query (including a set of parameters) with requests an output from a remote network system, such as the printing system 12) (col. 10, lines 5-21).

8. Claim 12 is rejected for the same reason as claim 5.

9. Claim 14 is rejected for the same reason as claim 7.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571) 272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

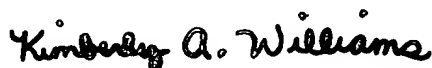
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Satwant K. Singh  
Examiner  
Art Unit 2625

sks



KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER